

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS

Case No.: 4:24-cv-01022

PLAINTIFF: Mrs. Kelly Bland

DEFENDANT: Aaron Hansome

ANSWER TO PLAINTIFF'S COMPLAINT

1. **Defendant's Response to Allegations:**

1.1 Defendant admits to placing a single outbound call to the Plaintiff on April 10, 2024. The call was part of a legitimate business operation, conducted using a list of leads provided under a compliance agreement with a vendor.

1.2 Defendant denies all other allegations of repeated or unsolicited calls, as these calls were not initiated, directed, or controlled by the Defendant.

1.3 Defendant denies any wrongdoing under the Telephone Consumer Protection Act (TCPA). The Plaintiff's claims of vicarious liability are without merit.

2. **Affirmative Defenses:**

2.1 Good Faith Compliance: Defendant relied on signed compliance agreements from vendors, conducted scrubbing of call lists, and took immediate corrective action when issues arose.

2.2 Acts of Third Parties: Any calls beyond the one made by the Defendant were initiated by independent vendors who operated autonomously.

2.3 Failure to Mitigate Damages: Plaintiff did not inform the Defendant of her concerns in a timely manner, instead opting to escalate directly to litigation.

2.4 Unclean Hands: Plaintiff's actions, including returning calls and providing misleading statements, demonstrate a lack of clean hands.

2.5 Abuse of Process: Plaintiff has a history of filing numerous TCPA lawsuits, suggesting a pattern of exploitation rather than legitimate grievances.

COUNTERCLAIM

1. **Emotional Distress:**

1.1 Plaintiff's aggressive and intimidating tactics, including repeated settlement demands, threats of litigation, and abusive communications, caused significant emotional stress to the Defendant and his family.

1.2 Plaintiff's actions interfered with the Defendant's ability to care for his terminally ill mother, young child, and spouse.

2. **Financial Damages:**

2.1 Plaintiff's baseless lawsuit has caused Defendant to spend over 180 hours preparing his defense, detracting from his ability to earn income or focus on rebuilding his business.

2.2 Defendant seeks \$12,000 in damages to compensate for lost time, resources, and emotional strain.

3. **Abuse of Process:**

3.1 Plaintiff has demonstrated a pattern of exploiting the legal system for personal financial gain, as evidenced by her history of over 30 TCPA lawsuits in three years.

3.2 Defendant believes this lawsuit is a continuation of such tactics, aimed at extracting settlements rather than addressing legitimate grievances.

COMPREHENSIVE DEFENSE NARRATIVE

1. **Overview:**

1.1 This case stems from a single outbound call placed by the Defendant to the Plaintiff on April 10, 2024. The call was made using a lead list obtained under a vendor compliance agreement, which was scrubbed prior to use.

1.2 Plaintiff voluntarily returned the Defendant's call, expressed interest in insurance services, and later misrepresented the nature of the call in her lawsuit.

2. **Defendant's Compliance Efforts:**

2.1 Defendant maintained strict vendor compliance agreements and terminated vendors immediately upon discovering non-compliance.

2.2 Evidence includes WhatsApp communications, signed compliance agreements, and termination notices to vendors (Exhibits D-1 to D-13).

3. **Plaintiff's Patterns of Litigation:**

3.1 Plaintiff has filed 31 TCPA lawsuits in the past three years, often redacting her phone number and escalating claims to class actions.

3.2 Identical language in settlement demands shared with her sister, Kimberly Starling, raises concerns of coordinated tactics.

4. **Emotional and Financial Impact:**

4.1 Plaintiff's lawsuit has caused significant emotional distress and financial harm to the Defendant, who is the sole provider for his family.

4.2 Defendant has spent over 180 hours preparing his defense, detracting from work and family responsibilities.

JURY DEMAND

Defendant demands a trial by jury on all issues so triable.

CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2025, a true and correct copy of the foregoing documents, including Defendant's Amended Answer, Counterclaim, and Motion to File Out of Time, was served upon the following:

Mrs. Kelly Bland
kellybland516@gmail.com
Via: Email

Aaron Hansome

Aaron Hansome

Pro Se Defendant

